

Attorney's Docket No. 032693-114Application No. 10/804,299

Page 16

REMARKS

Claims 1-45 are pending. By this Amendment, Claims 1, 3, 12, 14, 18, 20, 25, 29, 33, 37, 39, 41 and 45 are amended.

In the Office Action, the Examiner rejects Claims 1-45 under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,195,648. Applicants respectfully submit that in order to expedite prosecution of the present application, a Terminal Disclaimer will be filed with respect to U.S. Patent No. 6,195,648.

In the Office Action, the Examiner rejects Claims 1-28, 33-36 and 40-45 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,917,405 to Joao (Joao) in view of U.S. Patent No. 6,647,328 to Walker (Walker). This rejection is respectfully traversed.

The "keypad" or user interface 975 that the Examiner cites Joao as disclosing, is in fact located at a central security office, not at an equipment or vehicle that is being enabled or disabled. Accordingly, Joao fails to disclose or suggest independent Claims 1, 3, 12, 14, 18, 20, 25, 33, 41 and 45, and in particular the feature wherein a code is received via a keypad at the vehicle or equipment.

In addition, Applicants further note that Joao is directed to recovering stolen vehicles, and the portions of Joao cited by the Examiner fail to disclose or suggest a reference code based on a payment due date, as recited for example in Claim 20, and likewise fail to disclose or suggest *generating a next reference code which corresponds to the next payment due deadline if an agreement is found between said additional code and said reference code*, as recited for example in Claims 1 and 41.

Attorney's Docket No. 032693-114Application No. 10/804,299

Page 17

The Examiner acknowledges that Joao fails to disclose or suggest computing a payment due deadline, as recited for example in Claims 1, 3, 14, 18, 41, 45 and does not disclose using the system for loan repayment purposes. The Examiner asserts that Walker teaches a vehicle disabling system, that is "useful for loan companies". However, Applicants respectfully note that the portions of Walker cited by the Examiner fail to discuss, disclose or suggest computing a payment due deadline, much less generating or using codes corresponding to the deadline. Furthermore, the cited portions of Walker fail to overcome the deficiencies of Joao discussed above.

For at least the above reasons, Applicants submit that the asserted combination of Joao and Walker fails to disclose or suggest Claims 1-28, 33-36 and 40-45. Withdrawal of the rejection of Claims 1-28, 33-36 and 40-45 under 35 U.S.C. § 103(a) over Joao in view of Walker is respectfully requested.

In the Office Action, the Examiner rejects Claims 29-32 and 37-39 under 35 U.S.C. § 103(a) over a combination of Joao, Walker and U.S. Patent No. 5,850,599 to Seidermann (Seidermann). This rejection is respectfully traversed.

Seidermann fails to overcome the deficiencies of Joao and Walker set forth above, with respect to Claims 1-28, 33-36 and 40-45, from which Claims 29-32 and 37-39 variously depend. In addition, Applicants note that Seidermann is directed to a cell phone, and not a vehicle as recited in Claims 29-32 and 37-39. Furthermore, Seidermann discloses that the cell phone is completely disabled unless a "911" call is placed. In other words, Seidermann discloses that the disabled cell phone is operational only for a verified emergency code, i.e., "911". Accordingly, Seidermann, fails to disclose or suggest that when *processing does not result in verification of the*

Attorney's Docket No. 032693-114Application No. 10/804,299

Page 18

emergency code received from the keypad, the vehicle is at least partially disabled,
as recited in Claims 29 and 37.


For at least the above reasons, Applicants respectfully submit that the asserted combination of Joao, Walker and Seidermann fails to disclose or suggest Claims 29-32 and 37-39. Withdrawal of the rejection of Claims 29-32 and 37-39 under 35 U.S.C. § 103(a) over Joao, Walker and Seidermann is respectfully requested.

Applicants submit that the application is in condition for allowance. Favorable consideration on the merits and prompt allowance are respectfully requested. In the event any questions arise regarding this communication or the application in general, please contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: 03 October 2005

By:  Reg. No. 35,333
E. Joseph Gess
Registration No. 28,510

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620